REMARKS

I. Introduction

Claims 1-14 are currently pending in the present application. In view of the following remarks, it is respectfully submitted that the pending claims are allowable, and reconsideration is respectfully requested.

II. Rejection of Claims 1-3, 5-10 and 13-14 under 35 U.S.C. § 103(a)

Claims 1-3, 5-10 and 13-14 remain rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,176,973 ("Takada") in view of U.S. Publication No. 2001/0026322 ("Takahashi"). Applicant respectfully submits that the rejection should be withdrawn for at least the following reasons.

In rejecting a claim under 35 U.S.C. § 103(a), the Examiner bears the initial burden of presenting a *prima facie* case of obviousness. In re Rijckaert, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish a *prima facie* case of obviousness, the Examiner must show, *inter alia*, that there is some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify or combine the references, and that, when so modified or combined, the prior art teaches or suggests all of the claim limitations. M.P.E.P. §2143. In addition, as clearly indicated by the Supreme Court, it is "important to identify a reason that would have prompted a person of ordinary skill in the relevant field to [modify] the [prior art] elements" in the manner claimed. See KSR Int'l Co. v. Teleflex, Inc., 82 U.S.P.Q.2d 1385 (2007). In this regard, the Supreme Court further noted that "rejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." Id., at 1396. To the extent that the Examiner may be relying on the doctrine of inherent disclosure in support of the obviousness rejection, the Examiner must provide a "basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristics necessarily flow from the teachings of the applied art." (See M.P.E.P. § 2112; emphasis in original; see also Ex parte Levy, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990)).

Claim 1 recites, in relevant parts, "each of said plurality of imaging units comprises an imaging lens and an imaging device located on an image plane of said imaging lens, said plurality of imaging units are two-dimensionally arranged in rows and columns, with an optical axis of each imaging unit defined as an axis through a common object point at an imaging position and the center of each imaging lens, directions of the optical axes of the imaging units adjacent to each other are different, said common object point and each imaging device are located at a conjugate position, and said illumination device is positioned in such a way as to direct illumination light in a direction along the optical axis of each imaging unit." In accordance with the above-recited claimed limitations, a group of P' images of the "common object point" P having brightness and color information of corresponding minute division sections are formed on an imaging device of separate imaging units without being overlapped on each other (see, e.g., Figs. 3(a) - 3(c) of the present application), so that by combining the group of the images P', the entire retinal image (eyeground image) may be reproduced. In other words, in accordance with the present invention, each image of different minute division sections on a retina are imaged from different optical axis directions through the corresponding separate illuminating devices and imaging units so that a composite whole retina image (eyeground image) is produced. In contrast, the overall teachings of Takada and Takahashi simply do not teach or suggest the above-recited claimed features, as explained in further detail below.

Takada disclose an iris camera module adapted to take an iris image, in which module an iris 12a (see Fig. 3) is illuminated from one optical axis direction (the dotted line direction in Fig. 8) to take an iris image. The Examiner appears to interpret the iris of Takada as being equivalent to the claimed "common object point" of the present invention. However, the claimed "common object point" relates to the premise that images are taken from different optical axis directions, which means the iris 12a of Takada imaged from only one optical axis direction is clearly not equivalent to the claimed "common object point" of the present invention. Because Takada does not relate to the technical idea that the iris is imaged from different optical axis directions, Takada provides no motivation to define the location of the illumination device relative to each imaging device in terms of the positional relationship to the "common object point." Thus, Takada does not disclose or suggest that illumination light is directed to the "common object point" located at the conjugate position with each imaging device in the direction of the optical axis of each imaging unit.

Similarly, Takahashi also fails to teach or suggest the claimed features relating to the "common object point." Takahashi discloses a solid-state imaging apparatus including a plurality of two-dimensionally arranged imaging devices with the optical axis directions of adjacent imaging devices being different, wherein the relation of each imaging device to its aperture area is specified so as to reduce variations of light-receiving sensitivity which occur depending on the direction of incidence of light on the solid-state imaging apparatus. As can be seen from paragraphs [0010] - [0013] and Fig. 2A of Takahashi, however, it is clear that the imaging lens 11 images the subjects 10 at different positions (the object points at different positions), or different object points at the same subject 10, to form the images on the solid-state imaging apparatus, not to image any "common object point." In any case, the subject 10 of Takahashi is imaged from only one optical axis direction. For at least the foregoing reasons, Takahashi fails to teach or suggest anything equivalent to the claimed "common object point."

Independent of the above, the overall teachings of Takada and Takahashi simply would suggest the claimed invention. As described above, Takada discloses illuminating the iris from one optical axis direction to take the image of the iris, i.e., there is no need for dividing the iris to image the iris from different optical axis directions, and therefore there is simply no motivation to incorporate the teachings of Takahashi. In any case, even if the teachings of Takada are combined with the teachings of Takahashi, there would not be any suggestion to define the location of the illumination device in terms of the positional relationship to the "common object point" since both Takada and Takahashi fail to teach or suggest the "common object point."

For at least the foregoing reasons, claim 1 and its dependent claims 2-3, 5-10 and 13-14 are not rendered obvious by the applied references.

III. Rejection of Claim 4 under 35 U.S.C. § 103(a)

Claim 4 remains rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,176,973 ("Takada") in view of Takahashi et al. (US 2001/0026322), as applied to claim 1 above, and further in view of U.S. Patent No. 5,751,836 ("Wildes"). Applicant respectfully submits that the rejection should be withdrawn for at least the following reasons.

Claim 4 depends on claim 1. As discussed above, Takada and Takahashi do not render parent claim 1 obvious, particularly since these applied references fail to suggest the claimed limitation relating to the "common object point." In addition, Wildes fails to remedy the deficiencies of Takada and Takahashi as applied against parent claim 1. Accordingly, the overall teachings of Takada, Takahashi and Wildes do not render claim 1 and its dependent claim 4 obvious.

IV. Rejection of Claim 11 under 35 U.S.C. § 103(a)

Claim 11 remains rejected under 35 U.S.C. § 103(a) as being unpatentable over Takada in view of Takahashi as applied to claim 1 above, and further in view of U.S. Patent No. 6,556,349 ("Cox"). Applicant respectfully submits that the rejection should be withdrawn for at least the following reasons.

Claim 11 depends on claim 1. As discussed above, Takada and Takahashi do not render parent claim 1 obvious, particularly since these applied references fail to suggest the claimed limitation relating to the "common object point." In addition, Cox fails to remedy the deficiencies of Takada and Takahashi as applied against parent claim 1. Accordingly, the overall teachings of Takada, Takahashi and Cox do not render claim 1 and its dependent claim 11 obvious.

V. Rejection of Claim 12 under 35 U.S.C. § 103(a)

Claim 12 remains rejected under 35 U.S.C. § 103(a) as being unpatentable over Takada in view of Takahashi as applied to claim 1 above, and further in view of U.S. Patent No. 5,886,780 ("Fukuma"). Applicant respectfully submits that the rejection should be withdrawn for at least the following reasons.

Claim 12 depends on claim 1, since claim 12 recites "an imaging system as recited in claim 1." As discussed above, Takada and Takahashi do not render parent claim 1 obvious, particularly since these applied references fail to suggest the claimed limitation relating to the "common object point." In addition, Fukuma fails to remedy the deficiencies of Takada and

Takahashi as applied against parent claim 1. Accordingly, the overall teachings of Takada, Takahashi and Fukuma do not render claim 1 and its dependent claim 12 obvious.

VI. Conclusion

It is therefore respectfully submitted that pending claims 1-14 are now in allowable condition. All issues raised by the Examiner have been addressed, and an early and favorable action on the merits is solicited.

Respectfully submitted,

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